



2005

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 2-1-05 Name: Shelly Kean

Signature: Shelly Kean

BRINKS  
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GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Brian B. Ginther, et al.  
Appln. No.: 10/666,593  
Filed: September 19, 2003  
For: CONTROL SYSTEM FOR  
INTERACTIVE DRIVELINE AND  
VEHICLE CONTROL

Examiner: Paul Royal

Art Unit: 3611

Attorney Docket No: DKT03009

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Supplemental Information Disclosure Statement; Form PTO-1449; Copies of References  
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Jan 1, 2005  
Date

Respectfully submitted,

David D. Murray  
David D. Murray (Reg. No. 28,647)



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicants hereby cite the following reference(s):

**U.S. PATENT DOCUMENTS**

No.	Date of Publication	Patentee/Applicant/Assignee
6,012,560	01/11/00	Kuroda et al.

**FOREIGN PATENT DOCUMENTS**

No.	Date of Publication	Country
0 844 129 A2	05/27/98	Europe
0 844 129 A3	07/07/99	Europe
0 875 690 A2	11/04/98	Europe
0 875 690 A3	02/23/00	Europe
7-164926	06/27/95	Japan

**OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)**

English Abstract for Japanese Patent No. 7-164926

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

Pursuant to 37 C.F.R. §1.98(a)(3)(i) a concise explanation of the relevance of Japanese Patent No. 7-164926 is as follows:

This patent is directed to a hydraulic yaw rate controller for a passenger car. The system includes both a torque controller which controls torque delivery through the motor vehicle driveline and a brake controller which independently controls actions of the brakes. The torque controller regulates valves 16L, 16R and 16C which control delivery of hydraulic fluid to independent left and right clutches in the rear axle and a center clutch which delivers torque to the rear axle clutches. The brake controller independently regulates braking force on the left and right wheels. The torque controller is active when the car's input torque is large, the rate of change of input torque is small, the speed is high and the acceleration is high when the vehicle is traveling a straight line or the acceleration is low while the vehicle is turning. The brake controller is active in situations described as exactly the opposite.

Pursuant to 37 C.F.R. §1.98(c) only a partial copy of the European reference EP 0 875 690 A3 is provided inasmuch as it is cumulative with respect to EP reference 0 875 690 A2. Similarly, only a partial copy of European reference 0 844 129 A3 is provided inasmuch as it is cumulative with respect to European reference EP 0 844 129 A2.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants certify under 37 C.F.R. §1.97(e)(1) that no item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application more than three months prior to the filing of this Statement. Accordingly, Applicant has calculated no fee to be due in connection with

the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

Jan 31, 2005  
Date

David D. Murray  
David D. Murray (Reg. No.28,647)

FORM PTO 449 PATENT & TRADEMARK OFFICE	APPLICATION NO. 10/666,593	CASE NO. DKT03009
<b>LIST OF PATENTS AND PUBLICATIONS FOR          APPLICANT'S INFORMATION DISCLOSURE          STATEMENT</b>	FILING DATE September 19, 2003	ART UNIT 3661
APPLICANT(S): Brian B. Ginther, et al.		

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
		0 844 129 A2	05/27/98	Europe			
		0 844 129 A3	07/07/99	Europe			
		0 875 690 A2	11/04/98	Europe			
		0 875 690 A3	02/23/00	Europe			
		7-164926	06/27/95	Japan			

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
		English Abstract for Japanese Patent No. 7-164926

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.